

10-13-05

1FV 2638

## **EXPRESS MAIL CERTIFICATE**

Express Mail No.:

- EV 681574003 US

Date of Deposit:

- October 12, 2005

Type of Document(s):

- Transmittal Form (PTO/SB/21)

- Amendment and Response to Non-Final Office Action

(24 pages)

- Postcard Receipt

Application No.:

- 09/965,107

Filed:

- September 25, 2001

Applicant(s):

- Stewart K. HESTER

Title:

- DISTRIBUTED PROCESSOR MODULES

AND PERSISTENT STORAGE IN AN OPTICAL NETWORK

Examiner:

- David C. Payne

Art Unit:

- 2638

Attorney Docket No.:

- 10.0884

I hereby certify that the above-referenced documents are being/have been deposited with the United States Postal Service "Express Mail Post Office to Addressee" in accordance with 37 CFR 1.10 on the above-referenced date and are being/have been addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 USA.

Barkara C. Brown
Barbara C. Brown

TR.	ANSMITTAL FORM  all correspondence after initial	no persons are required to respond to a consider the Application Number  Filing Date  First Named Inventor  Art Unit  Examiner Name	Patent and Tollection of info 09/965,1 Septemi	ber 25, 2001 K. HESTER	
Total Number of Pages III This Submission   - /					
Fee Transmittal Form Fee Attached  Amendment/Reply (24 pages) After Final Affidavits/declaration(s) Extension of Time Request Express Abandonment Request Information Disclosure Statement		Drawing(s)  Licensing-related Papers  Petition Petition to Convert to a Provisional Application Power of Attorney, Revocatic Change of Correspondence Terminal Disclaimer Request for Refund CD, Number of CD(s) Landscape Table on C  Remarks  Return Receipt F Express Mail Ce	Address  D  Postcard rtificate	After Allowance Communication to TC  Appeal Communication to Board of Appeals and Interferences  Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)  Proprietary Information  Status Letter Other Enclosure(s) (please Identify below):	
Firm Name	SIGNA	TURE OF APPLICANT, ATTO	RNEY, C	OR AGENT	
	Dougherty, Clements	, Hofer, Bernard & Walker			
Signature	CLB-	<u> </u>			
Printed name Christopher L. Bernard		rd			
Date	October 12, 2005		Reg. No.	48,234	
CERTIFICATE OF TRANSMISSION/MAILING  I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents. P.O. Box 1450, Alexandria, VA 22313-1450 on					

the date shown below:

Signature

Barbara C. Brown Typed or printed name

Date October 12, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

0CT 1 2 2005

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s)	)	Stewart K. HESTER	
Application No.	)	09/965,107	
Filing Date	)	September 25, 2001	
Title	)	DISTRIBUTED PROCESSOR MODULES AND PERSISTENT STORAGE IN AN OPTICAL NETWORK	
Examiner	)	David C. Payne	
Art Unit	)	2638	

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 USA

## AMENDMENT AND RESPONSE TO NON-FINAL OFFICE ACTION

Dear Sir:

In response to the non-final Office Action mailed July 12, 2005, rejecting Claims 1-43 of the above-referenced Application, in which Claims 1-43 are pending, Applicant respectfully requests that the following amendments be entered and remarks be considered. In view of these amendments and remarks, Applicant submits that the Application is now in condition for allowance and respectfully requests such action.